

DECATUR CITY PLAN COMMISSION
AGENDA
Thursday, October 6, 2016, 3:00 P.M.
City Council Chamber
Third Floor, Decatur Civic Center

- I. Call to Order and Determination of a Quorum
- II. Approval of Minutes of the September 23, 2016 City Plan Commission Meeting
- III. New Business
 - Cal. No. 16-41 Petition of IROQUOIS, LLC, to rezone property located in the 2500-2600 BLOCKS OF SOUTH BUSINESS ROUTE 51 and the 900 BLOCK OF WEST GROVE ROAD from B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District to B-2 Commercial District.
 - Cal. No. 16-42 Petition of IROQUOIS, LLC, to allow for no frontage or direct access to a public street located in the 2500-2800 BLOCKS OF SOUTH BUSINESS ROUTE 51 and 900-1000 BLOCKS OF WEST GROVE ROAD.
- IV. Adjournment

MINUTES OF THE MEETING
OF THE
DECATUR PLAN COMMISSION

Friday, September 23, 2016
City Council Chamber, Decatur Civic Center

The September 23, 2016 meeting of the Decatur City Plan Commission was called to order at 10:02 A.M. in the City Council Chamber, Third Floor of the Decatur Civic Center, by Chairman Glenn Livingston who determined a quorum was present.

Members Present: Bill Clevenger, Bruce Frantz, Ed Harris, Kent Newton,
Terry Smith, Glenn Livingston

Members Absent: Jack Myatt, Susie Peck

Staff Present: Suzy Stickle, Joselyn Stewart, Griffin Enyart,
Patrick Hoban, Amy Waks, Janet Poland

It was moved and seconded (Newton/Frantz) to approve the minutes of the September 1, 2016 meeting of the Decatur City Plan Commission. Motion carried unanimously.

New Business

Cal. No. 16-37	Petition of ARAMARK DISTRIBUTION SERVICES, INC., to rezone property located at 3718 EAST MOUND ROAD from R-1 Single Family Residence District to M-1 Intense Commercial/Light Industrial District.
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Ms. Suzy Stickle was sworn in by Mrs. Poland.

Ms. Stickle presented the recommendation of staff:

The approximately 20 acre subject site is located at 3718 East Mound Road and is currently located outside the City limits.

A petition has been filed with the City to annex this agricultural site. If annexed to the City, the site will automatically be zoned R-1 Single Family Residence District per requirements of the Illinois Compiled Statutes and the City of Decatur Zoning Ordinance.

The petitioner proposes to rezone from R-1 Single Family Residence District to M-1 Intense Commercial/Light Industrial District that would allow for all those uses permitted in the M-1 District.

Rezoning the site from R-1 Single Family Residence District to M-1 Intense Commercial/Light Industrial District should not create any adverse effects on the adjacent properties or the City as a whole.

The surrounding zoning includes M-1 Intense Commercial to the north and west, Macon County M-1 to the south and east and Macon County M-2 to the east. The Macon County and Decatur Comprehensive Plan shows this area as Employment. The permitted uses in the M-1 Intense

Commercial/Light Industrial District are consistent with the intent of the Comprehensive Plan. The adjacent land uses and zoning districts are compatible with the permitted uses in the M-1 Intense Commercial/Light Industrial District.

Staff recommends approval of the rezoning.

Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 16-37 to the City Council with a recommendation for approval is suggested.

Chairman Livingston asked if the adjacent properties were annexed into the City. Ms. Stickle said the properties to west are in the City limits and the properties to the east are still in the county.

Ms. Cindy Strohl, representative, was sworn in by Mrs. Poland.

Ms. Strohl stated Aramark has been located at 2394 Hubbard Avenue for approximately thirty-four (34) years. The current lease is not being renewed and they are proposing to build a new facility. This project will retain the current sixty-eight (68) employees along with hopes to expand and create more jobs in the City.

Mr. Bruce Frantz said he noticed the site was being picketed. Ms. Strohl said she was not aware of the situation and stated Aramark is a union facility with most of the staff being union. Mr. Frantz stated the Operating Engineers were being picketed. Ms. Strohl reiterated she was not aware of the situation.

There were no objectors present.

It was moved and seconded (Smith/Clevenger) to forward Calendar No. 16-37 to the City Council with a recommendation for approval. Motion carried 5-1 with Mr. Frantz voting no.

Cal. No. 16-29

Petition of BILLY TYUS, ASSISTANT CITY MANAGER, for amendments to the City of Decatur Zoning Ordinance Section II.-Definitions, Section XXV.B.2.-Signage-Generally-Flashing Signs, Section XXV.B.9.b.-Signage-Generally-Electronic Message Unit Signs and Section XXVIII.E.3.-Landscaping and Exterior Lighting-Determination of Requirements-Buffer Yards.

Ms. Stickle presented the recommendation of staff:

The current City of Decatur Zoning Ordinance was adopted in May of 2002. Since the time of adoption, Staff has discovered certain necessary changes, discrepancies and omissions as the new ordinance has been implemented, specifically in SECTION II. Definitions, SECTION XXV. Signage and SECTION XXVIII. Landscaping and Exterior Lighting. It is Staff's hope that these changes and clarifications will make the Zoning Ordinance more comprehensive and applicable to the changing built urban environment all the while keeping the charge of making Decatur a beautiful place to live, work and play.

The proposed amendments will make clarifications in definitions and when an affected property owner(s) can agree not have a minimum distance to an electronic message unit and/or a required buffer yard.

One of the proposed amendments is to clarify how the floor area is calculated in the definition of Accessory Building, Structure or Use. The definition will change so that the aggregate ground floor area of all accessory buildings does not exceed the ground floor area of the main building.

The proposed amendments to the Signage section will allow electronic message units, and other signs with exterior brilliant lighting, intermittent, rotating or flashing lights to be located less than 100 feet to a residential district and/or use with a recorded written agreement between the owner of the property such sign is located and the property owner(s) within 100 feet of the signage. Another proposed amendment is to allow for a recorded written agreement between property owner(s) that would waive the requirement of a buffer yard.

Staff recommends approval of the amendments as proposed.

Section XXIX.G. of the Zoning Ordinance requires the Plan Commission to hold a public hearing and make recommendations to the City Council on amendments to the Zoning Ordinance. A motion to forward Calendar Number 16-29 to City Council with a recommendation of approval is suggested.

Mr. Kent Newton asked if this meant that an accessory structure could not be larger than the main structure. Ms. Stickle stated the aggregate ground floor area of all accessory buildings cannot exceed the aggregate ground floor area of the main building.

There were no objectors present.

It was moved and seconded (Frantz/Harris) to forward Calendar No. 16-29 to the City Council with a recommendation for approval. Motion carried unanimously.

There being no further business, it was moved and seconded (Harris/Newton) to adjourn the meeting. Motion carried unanimously. Chairman Livingston declared the meeting adjourned at 10:12 A.M.

Kent Newton, Secretary
Decatur City Plan Commission

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 2500-2600 Blocks of South Business Route 51 and 900 Block of West Grove Road

GENERAL INFORMATION

Hearing Date October 6, 2016
Calendar No. 16-41
Property Location 2500-2600 Blocks of South Business Route 51 and 900 Block of West Grove Road
Requested Action Rezone from R-5 Two Family Residence District, R-6 Multiple Dwelling District and B-1 Neighborhood Shopping District to B-2 Commercial District
Petitioner Iroquois, LLC

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Agricultural	R-5, R-6 and B-1	Residential-Low Density
North	Rotary Park	R-5, R-6	Open Space
South	Red Tail Run Golf Course	B-2	Open Space
East	Red Tail Run Golf Course	R-5, R-6	Open Space
West	Agricultural	Macon County and B-2	Residential-Low Density

BACKGROUND

1. The subject sites located in the 2500-2600 Blocks of South Business Route 51 and the 900 Block of West Grove Road are currently zoned B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District, in total, the sites consist of approximately 5 acres.
2. These subject sites are smaller portions of a much larger parcel located at the Northeast corner of South Business Route 51 and West Grove Road. The majority of the approximately 23.8 acres is currently zoned B-2 Commercial District.

PROJECT DESCRIPTION

1. The petitioner proposes to rezone the subject sites from B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District to B-2 Commercial District that would allow for all those uses permitted in the B-2 Commercial District and allow for the entire parcel to be located in the same zoning district.

STAFF ANALYSIS

1. Rezoning the sites from B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District to B-2 Commercial District should not create any adverse effects on the adjacent properties or the City as a whole as a majority of the adjacent area is zoned B-2 Commercial District and has been zoned as such for more than 30 years.
2. The adjacent zoning includes R-5 Two Family Residence District and R-6 Multiple Dwelling District to the north and east. B-2 Commercial District to the south and west. The Macon County and Decatur Comprehensive Plan shows this area as Residential-Low Density, however, Staff is of the opinion that rezoning these portions of the larger, approximately 23.8 acre, parcel is consistent with a decision by the City Council to rezone the property to B-2 Commercial District more than 30 years ago. The uses permitted in the B-2 Commercial District are compatible with being located at the corner of large intersection being South Business Route 51 and West Grove Road. The existing districts to the south and west are compatible with the B-2 Commercial District.

STAFF RECOMMENDATION

1. Staff recommends approval of the rezoning.

PLAN COMMISSION ACTION

1. Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 16-41 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan M. Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Location Map

**City of Decatur, Illinois****PETITION FOR REZONING***Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois*

Economic and Urban Development Department

One Gary K. Anderson Plaza

Decatur, Illinois 62523-1196

424-2793

FAX 424-2728

Please Type**SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION**

Petitioner	Iroquois LLC				
Address	145 N. Merchant Street				
City	Decatur	State	IL	Zip	62523
Telephone		Fax		E-mail	
Property Owner	Iroquois LLC				
Address	145 N. Merchant Street				
City	Decatur	State	IL	Zip	62523
Telephone		Fax		E-mail	
Representative	Chastain & Associates LLC, Mary Cave				
Address	5 N. Country Club Road				
City	Decatur	State	IL	Zip	62521
Telephone	217-422-8544	Fax		E-mail	

SECTION TWO: SITE INFORMATION

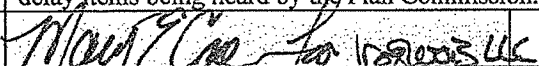
Street Address	Northwest corner of W. Grove Road and Route 51					
Legal Description	See attached.					
Present Zoning	<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input type="checkbox"/> R-3	<input checked="" type="checkbox"/> R-5	<input checked="" type="checkbox"/> R-6	Is this property a Planned Unit Development? <input type="checkbox"/> YES Approval Date: _____ <input checked="" type="checkbox"/> NO
	<input checked="" type="checkbox"/> B-1	<input checked="" type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Please list all improvements on the site:						Currently agricultural use.
Size of Tract	23.8	<input type="checkbox"/> SF	<input checked="" type="checkbox"/> AC			

SECTION THREE: REQUESTED ACTION

Rezone Property To:	<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input type="checkbox"/> R-3	<input type="checkbox"/> R-5	<input type="checkbox"/> R-6	Will this property be a Planned Unit Development? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input checked="" type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Other:						

Section Three Continued	
Purpose	Please state the purpose of the proposed rezoning.
To eliminate multiple zones within one property.	

SECTION FOUR: JUSTIFICATION
The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):
Multiple zoning districts currently exist within one parcel. In order to facilitate future development and lot subdivision, a consistent zoning district is needed.

SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.
Petitioner's Signature	 Date 2/16/14

NOTES:	
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees. 2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council. 3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal. 4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.	

Rev. 2 - 4/01

OFFICE USE ONLY	
Date Filed	
By	

Iroquois, LLC Rezoning

Part of the West Half (W ½) of the Southwest Quarter (SW ¼) of Section 27, Township 16 North, Range 2 East of the Third Principal Meridian, Macon County, Illinois further describes as follows:

Commencing at the Southwest Corner of the Southwest Quarter (SW ¼) of Section 27, Township 16 North, Range 2 East of the Third Principal Meridian; thence North 1,208 feet to a point on the West Line of said Section 27; thence East 300 feet to a point on the East Right-of-way line of South Business Route 51, said point being the Point of Beginning; thence East 250 feet; thence North 150 feet; thence Northwesterly 150 feet to a point on the East Right-of-way line of South Business Route 51; thence Southerly along the East Right-of-way line of South Business Route 51 to the Point of Beginning, containing 0.91 acres more or less, all situated in Macon County, Illinois.

AND

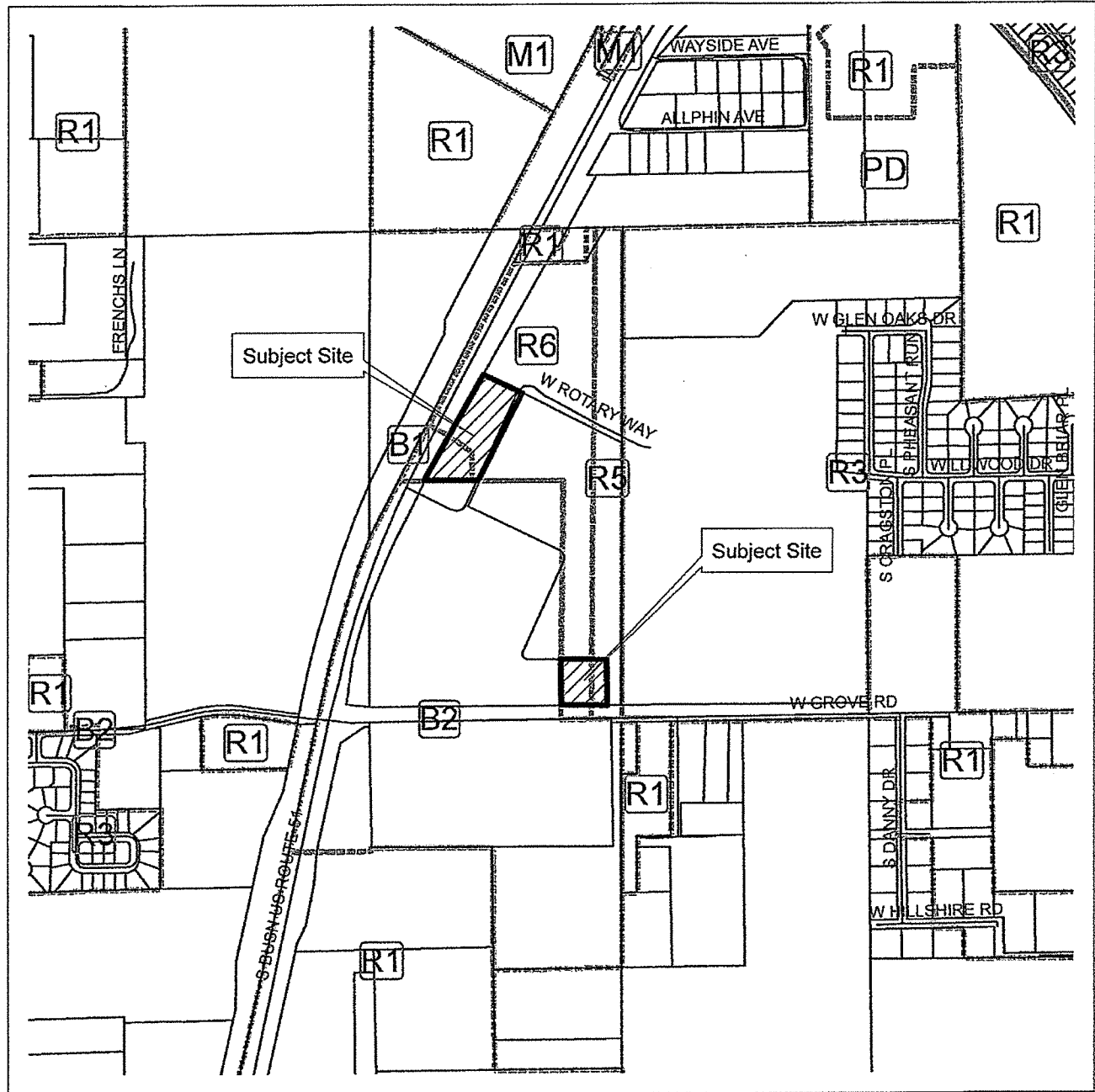
Commencing at the Southwest Corner of the Southwest Quarter (SW ¼) of Section 27, Township 16 North, Range 2 East of the Third Principal Meridian; thence East 1,030 feet to a point on the South line of said Section 27; thence North 30 feet to a point on the North Right-of-way line of West Grove Road, said point being the Point of Beginning; thence North 290 feet; thence East 165 feet; thence South 290 feet; thence West 165 feet along the North Right-of-way line of West Grove Road to the Point of Beginning, containing 1.12 acres more or less, all situated in Macon County, Illinois.

AND

Commencing at the Southwest Corner of the Southwest Quarter (SW ¼) of Section 27, Township 16 North, Range 2 East of the Third Principal Meridian; thence East 1,195 feet to a point on the South line of said Section 27; thence North 30 feet to a point on the North Right-of-way line of West Grove Road, said point being the Point of Beginning; thence North 290 feet; thence East 80 feet; thence South 290 feet; thence West 80 feet along the North Right-of-way line of West Grove Road to the Point of Beginning, containing 0.59 acres more or less, all situated in Macon County, Illinois.

Decatur City Plan Commission

2500-2600 Blocks of South Business Route 51
and 900 Block of West Grove Road






Cal. No.: 16-41
Date: October 6, 2016
Petition of: Iroquois, LLC
Requested Action: Rezone to B-2 Commercial District

0 500 1,000
Feet



Legend

- Decatur Roads
-  subject site
-  Decatur Parcel data
-  Decatur Zoning

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: Northeast Corner of South Business Route 51 and West Grove Road

GENERAL INFORMATION

Hearing Date	October 6, 2016
Calendar No.	16-42
Property Location	2500-2800 Blocks of South Business Route 51 and 900-1000 Blocks of West Grove Road
Requested Action	No Direct Access to Public Street and No Frontage on Public Street
Petitioner	Iroquois, LLC
Representative	Mary Cave, Chastain and Associates

BACKGROUND

1. The approximately 26 acre subject site is currently agricultural and undeveloped. It consists of two (2) parcels of land and is located at the northeast corner of South Business Route 51 and West Grove Road.
2. The Final Minor Plat of Iroquois Addition was reviewed by Engineering, Fire and Planning. The petitioner is requesting the approval of no direct access to a public street and no frontage on a public street. The petitioner proposes to subdivide the property into two (2) lots in which the proposed Lot One (1) will have no frontage on and no direct access to a public street. According to the Zoning Ordinance each lot shall have frontage on, direct access to, a public street or way that is improved to City standards, unless the Council shall otherwise direct, by approval of a subdivision plat so showing submitted, heard and considered in the manner provided in the subdivision Regulations for the City.
3. The purpose of the subdivision is to create two (2) lots for immediate development and the potential for more lots for future development.

PROJECT DESCRIPTION

1. The petitioner proposes to subdivide the property into two (2) lots. The proposed Lot One (1) will have no frontage on and no direct access to a public street.
2. The developer proposes to construct a private access road that will meet city standards in a proposed 60 foot wide ingress/egress easement that will run along the west side of the entire proposed west line of Lot One (1). This proposed easement lines up with the current easement of the north/south portion of Rotary Way. This easement along with the current easement of Rotary Way running to South Business Route 51 will give proposed Lot One (1) lot 3 access to the public right of way.

3. This action is being proposed to allow flexibility to potentially develop other portions of the proposed site in the future while ensuring that immediate development can occur and will be done in a manner that benefits the health, safety and welfare of the community.

STAFF RECOMMENDATION

1. Staff will support the no frontage on and no direct access to a public street for the proposed Lot One (1) if a private access road is built to City Standards and maintained as such to ensure proper emergency vehicle access.
2. Staff recommends approval of the no frontage on and no direct access to a public street with the following condition:
 - A. A private access road disclaimer and maintenance statement shall be required on the Final Plat in order to ensure properly maintained access for emergency vehicles as approved by the Public Works Department.

PLAN COMMISSION ACTION

1. Section IV.A.8. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing to review Plats when there is no frontage and no direct access to a public street and report its findings to the City Council. A motion to forward Calendar Number 16-42 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

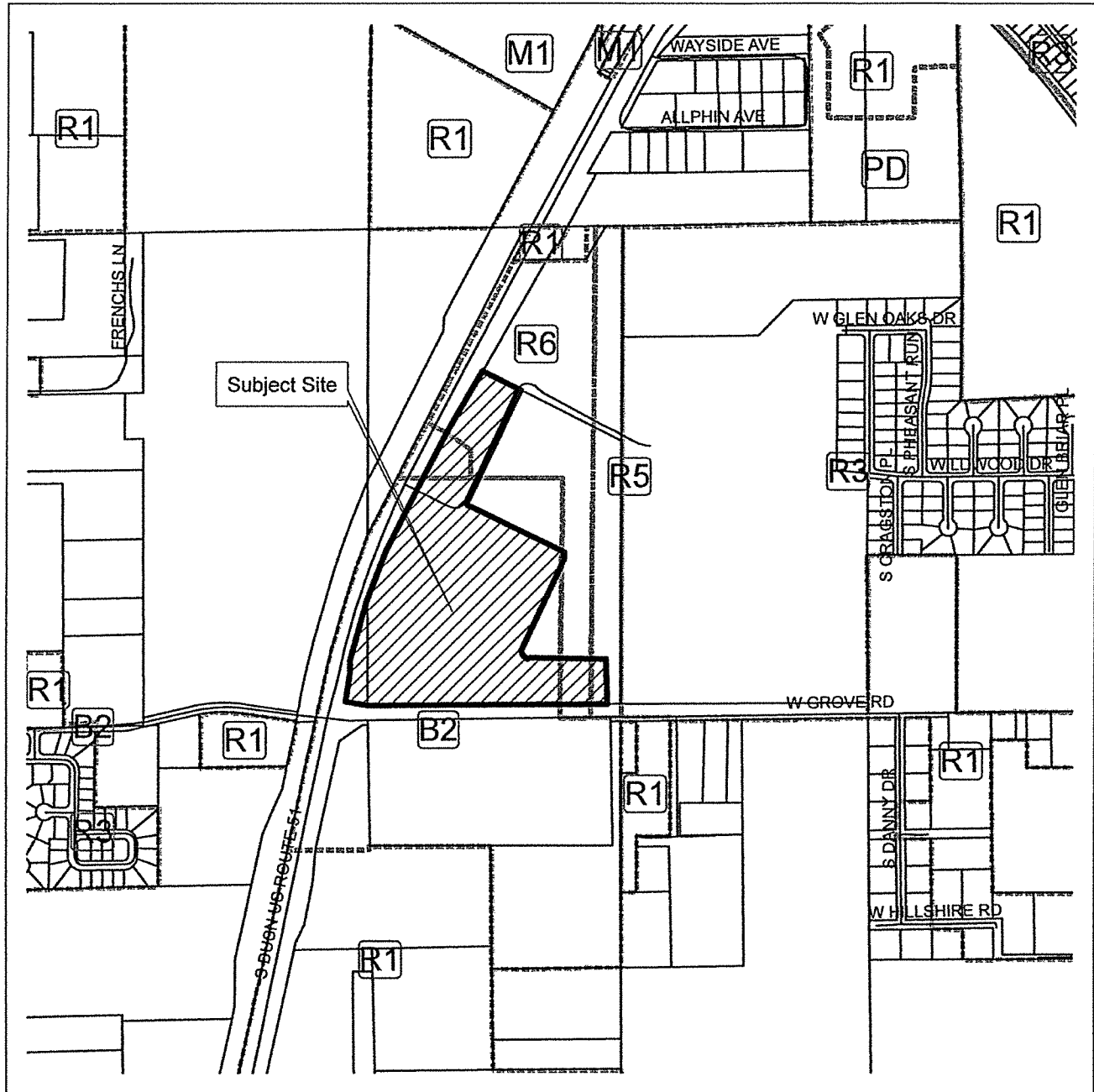
Suzan Stickle
Senior Planner

ATTACHMENTS

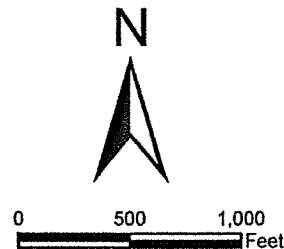
1. Proposed final plat
2. Location Map

Decatur City Plan Commission

2500-2800 Blocks of South Business Route 51
and 900-1000 Blocks of West Grove Road



Cal. No.: 16-42
Date: October 6, 2016
Petition of: Iroquois, LLC
Requested Action: No access to or frontage
on a public street



Legend

- Decatur Roads
- ▨ subject site
- Decatur Parcel data
- Decatur Zoning

